

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at WINCHESTER

DEBORAH EVANS )  
 )  
 )  
 )  
*Plaintiff,* )  
 )  
 )  
v. ) Case No. 4:08-cv-66  
 )  
MICHAEL J. ASTRUE )  
Commissioner of Social Security, )  
 )  
*Defendant.* ) Judge Mattice  
 )  
 )

**ORDER**

United States Magistrate Judge William B. Mitchell Carter filed his report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). [Court Doc. 19.] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, Plaintiff's Motion for Summary Judgment [Court Doc. 11] is **DENIED**. Defendant's Motion for Summary Judgment [Court Doc. 15] is **GRANTED**. The Commissioner's denial of benefits is **AFFIRMED** and the instant action is **DISMISSED WITH PREJUDICE**.

The Clerk shall close the case.

SO ORDERED this 15th day of January, 2010.

/s/Harry S. Mattice, Jr.

HARRY S. MATTICE, JR.

UNITED STATES DISTRICT JUDGE